



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:

Westborough SPE LLC

Debtor

Chapter 7
23-40709-CJP

ORDER

MATTER:

#368 Motion filed by Creditor Lolonyon Akouete To Order Trustee to Evaluate Current Offers for the Property at 231 Turnpike Road And Expedite Decision-Making Process.

DENIED. THE TRUSTEE HAS FILED MOTION FOR APPROVAL OF A SETTLEMENT OF CLAIMS THAT WOULD INCLUDE CLAIMS TO AVOID THE TRANSFER OF PROPERTY BY TAX FORECLOSURE TO THE TOWN OF WESTBOROUGH. THE TRUSTEE HAS THE BURDEN OF PROOF WITH RESPECT TO APPROVAL OF THAT COMPROMISE. THE TRUSTEE HAS REPRESENTED IN RECENT PLEADINGS THAT HE HAS RECEIVED INFORMATION OF AN INCREASED VALUE FOR THAT PROPERTY AND THAT HE IS ASSESSING THAT AND OBTAINING AN APPRAISAL. MOVANT HAS STATED THAT HE HAS FORWARDED "TWO FORMAL OFFERS" TO THE TRUSTEE FOR HIS REVIEW. IT IS UNCLEAR WHAT RELIEF THE MOVANT SEEKS. IT APPEARS THAT MOVANT ONCE AGAIN SEEKS TO PROMOTE AN INTERIM DISTRIBUTION WHERE THAT HAS BEEN DENIED BY PRIOR ORDERS OF THE COURT. IT ALSO APPEARS THAT MOVANT IGNORES THE FACT THAT RECORD TITLE TO THE SUBJECT PROPERTY WAS NOT IN THE DEBTOR'S NAME AS OF THE PETITION DATE AND THAT THE TRUSTEE WILL BE REQUIRED TO LITIGATE TO RECOVER THE PROPERTY BEFORE THE ESTATE COULD SEEK TO "ACT" ON ANY OFFER.

Dated: 10/02/2024

By the Court,

A handwritten signature in black ink, appearing to read "Christopher J. Panos", is written over a horizontal line.

Christopher J. Panos
United States Bankruptcy Judge